

**REMARKS/ARGUMENTS**

After the foregoing amendments, claims 1-18 are currently pending in this application. Claims 1, 5, 9 and 14 have been amended to more distinctly claim subject matter which the Applicants regard as the invention. The Applicants submit that no new matter has been introduced into the application by these amendments.

**The Present Invention**

The present invention is related to a method and wireless multi-cell communication system for providing high speed downlink packet access (HSDPA) services. The system includes a radio network controller (RNC) in communication with a plurality of base stations. The RNC sends a control signal to at least one base station having a plurality of timeslots, e.g., in a time division duplex (TDD) system and/or frames including transmission timing intervals (TTIs), e.g., in a frequency division duplex (FDD) system assigned thereto for the establishment of HSDPA channels. The control signal indicates a maximum allowed HSDPA transmit power for each of the timeslots and/or TTIs. The base station sends a feedback signal to the RNC indicating the results of measurements of the power of the transmitted HSDPA timeslots and/or TTIs during a predetermined time period.

In one embodiment illustrated by Figure 2A of the instant application, the RNC sends a control signal to a particular one of the base stations having a plurality of timeslots assigned thereto for the establishment of HSDPA channels. The control signal indicates different maximum allowed HSDPA transmit power values for different timeslots of the particular base station.

In another embodiment illustrated by Figure 2B, the RNC sends a control signal to a particular one of the base stations to establish a frequency division

duplex (FDD) cell having a plurality of frames including respective sets of transmission timing interval (TTIs) assigned thereto for establishing HSDPA channels. The control signal indicates different maximum allowed HSDPA transmit power settings for different TTIs in the same frame.

**Claim Rejections - Claims 1-8**

Claims 1, 4, 5, and 8 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0090934 (Cha et al., hereinafter referred to as Cha). Claims 2, 3, 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cha in view of U.S. Patent Application Publication No. 2005/0117553 (Wang et al., hereinafter referred to as Wang).

Cha discloses a base station controller communicating to a base station the initial allocation of transmit power. Wang discloses a method and device for downlink packet access signaling for a TDD mode of a wireless communication system.

Claims 1 and 5 have been amended to more distinctly claim subject matter which the Applicants regard as the invention. Claims 1 and 5 now recite that an RNC sends a control signal to a particular one of a plurality of base stations having a plurality of timeslots assigned thereto for the establishment of HSDPA channels. Furthermore, claims 1 and 5 now recite that the control signal sent by the RNC indicates different maximum allowed HSDPA transmit power values for different timeslots of the particular base station. The Applicants submit that the prior art of record fails to teach or suggest an RNC sending such a control signal.

Claims 2-4 and 6-8 are dependent upon claims 1 and 5, respectively, which the Applicants believe are allowable over the cited prior art of record for the same reasons provided above.

Based on the arguments presented above, the withdrawal of the rejection of claims 1, 4, 5, and 8 under 35 U.S.C. §102(e) and the rejection of claims 2, 3, 6 and 7 under 35 U.S.C. §103(a) is respectfully requested.

**Claims 9-18**

Claims 9, 10, 12-15, 17 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cha in view of U.S. Patent Application Publication No. 2004/0097253 (Malkamaki). Claims 11 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cha in view of Wang.

Cha discloses a base station controller communicating to a base station the initial allocation of transmit power. Malkamaki discloses a wireless communication system including a plurality of base stations, a user equipment (UE) and a controller entity. Malkamaki discloses that the UE sends an acknowledgement using a power level that is based on information provided by a base station (see paragraph [0070]). Wang discloses a method and device for downlink packet access signaling for a TDD mode of a wireless communication system.

Claims 9 and 14 have been amended to more distinctly claim subject matter which the Applicants regard as the invention. Claims 9 and 14 now recite that an RNC sends a control signal to a particular one of the base stations establishing an FDD cell having a plurality of frames including respective sets of TTIs assigned thereto for establishing HSDPA channels. Furthermore, claims 9 and 14 now recite that the control signal indicates different maximum allowed HSDPA transmit power settings for different TTIs in the same frame. The Applicants submit that the prior art of record fails to teach or suggest an RNC sending such a control signal.

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**Application No.:** 10/806,502

Claims 10-13 and 15-18 are dependent upon claims 9 and 14, respectively, which the Applicants submit are allowable over the cited prior art of record for the same reasons provided above.

Based on the arguments presented above, the withdrawal of the rejections of claims 9-18 under 35 U.S.C. §103(a) is respectfully requested.

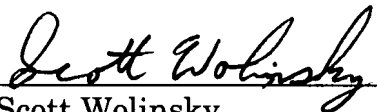
**Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1-18, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Rudolf et al.

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